IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF WISCONSIN

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SYLVESTER JACKSON,

                        ORDER

           Plaintiff,

                        16-cv-542-bbc
                        Appeal no. 18-2511

        v.

P. SCHULZ, CAPT. FOSTER,
CAPT. JENSEN and SGT. GARCIA,

          Defendants.

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An opinion and order was entered in this action on June 14, 2018, granting defendants' motion for summary judgment and closing the case. Now before the court is plaintiff Sylvester Jackson's notice of appeal along with his request to proceed in forma pauperis on appeal. Plaintiff is no longer a prisoner and has submitted a financial affidavit in support of his request. From the financial information that plaintiff has provided in the affidavit, I find that he does not have the means to pay the $505 appellate docketing fee and qualifies for indigent status with respect to the appeal filing fee. Because plaintiff will be granted leave to proceed in forma pauperis in this court, he "may proceed on appeal in forma pauperis unless the district court shall certify that the appeal in not taken in good faith or shall find that the party is otherwise not entitled so to proceed." Fed. R. App. P. 24(a). I will not certify that the appeal is not taken in good faith and I see no other reason to deny

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plaintiff's request to proceed in forma pauperis .

Finally, plaintiff has filed a motion under Fed. R. App. P. 24(c), requesting "leave to use the original record on appeal." Dkt. #68. This motion will be denied as unnecessary, as plaintiff will not be charged any fee for submission of the record to the court of appeals.

ORDER

IT IS ORDERED that

1. Plaintiff Sylvester Jackson's motion for leave to proceed in forma pauperis on appeal, dkt. #67, is GRANTED.

2. The clerk of court is requested to insure that the court's financial records reflect plaintiff's obligation to pay the $505 fee for his appeal.

3. Plaintiff's motion for leave to use the original record on appeal, dkt. #68, is DENIED as unnecessary.

Entered this 8th day of August, 2018.

BY THE COURT:
/s/

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BARBARA B. CRABB
District Judge

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